



THE CITY OF NEW YORK
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April 21, 2014

BY ECF

Honorable Lois Bloom
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza
Brooklyn, New York 11201

Re: James Lynch v. Raymond Kelly, et al.
14 CV 0162 (PKC) (LB)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department, and am assigned to defend the above-referenced matter in which the City of New York is not a defendant. I write to respectfully respond to this Court's Order dated February 3, 2014, directing this Office, pursuant to Valentin v. Dinkins, to ascertain the full names of the New York City Police Department ("N.Y.P.D.") officers of the 77th Precinct who were involved in plaintiff's arrest, the full name of the Kings County Assistant District Attorney involved in plaintiff's prosecution, and the addresses where they may be served.

Following an investigation, to date, this Office has identified, upon information and belief, the following members of the N.Y.P.D. as individuals likely to have discoverable information: Detective James Rogelio, Shield No. 2660, and Detective Edward Sinclair, Shield No. 5116. Both of these officers may be served at New York City Police Department, Narcotics Borough Brooklyn North, One Police Plaza, Room 1100, New York, New York 10038.

At present time, although this Office has requested information from the Office of the District Attorney, Kings County, that would serve to identify the Kings County Assistant District Attorney involved in plaintiff's prosecution, we are not yet in receipt of this information.

Accordingly, this Office respectfully requests an additional 30 days to provide the identity of the Assistant District Attorney.¹

Thank you for your consideration herein.

Respectfully submitted,

/s/

Daniel H. Oliner
Assistant Corporation Counsel
Special Federal Litigation Division

cc: James Lynch
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Plaintiff pro se
(via first class mail)

¹ We respectfully contend that based on the allegations in plaintiff's Complaint, any Assistant District Attorney would be entitled to absolutely immunity. Imbler v. Pachtman, 424 U.S. 409 (1976). See also Robinson v. Office of the District Attorney of Kings County, 10 CV 2261 (BMC) (LB), 2014 U.S. Dist. LEXIS 60352, *3 – 5 (E.D.N.Y. June 17, 2014) (discussing prosecutorial immunity).